IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1185 OF 2007

IN

SUMMARY SUIT NO.878 OF 2007

B.D.Enterprise ...Plaintiff

Versus

Ashvinkumar Vadilal Shah ...Defendant

.....

Mr.Tushar Bhavsar for Plaintiff.

Mr.A.M.Saraogi for Defendant.

.....

CORAM: A.M.KHANWILKAR, J.

MAY 4, 2007.

P.C.

1. Defendant through Counsel assures that he will deposit the entire suit claim amount in Court within four weeks from today. That assurance is accepted.

2. Defendant to deposit sum of Rs.33,63,367/- (Rupees Thirty-three Lakhs Sixty-three Thousand Three Hundred Sixty-seven Only) in this Court

within four weeks from today. The amount so deposited be invested in fixed deposit in any nationalised bank initially for a period of two years, to be renewed from time to time, as may be ordered by the Court. If the Defendant deposits the amount within four weeks from today as assured, nothing will survive for consideration in the present Motion, in which event, the Motion will stand disposed of on that basis and the ad-interim will stand vacated.

3. If Defendant fails to deposit the aforesaid amount within specified time, the Motion will proceed on the appointed date and interim relief would continue till then.

A.M.KHANWILKAR, J.